

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Joseph S. Cavallo et al.	Art Unit :	2186
Serial No. :	10/799,135	Examiner :	Hetul B. Patel
Filed :	March 11, 2004	Conf. No. :	8491
Title :	SEQUENTIAL DATA TRANSFER DETECTION		

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant's representatives Elliott Mason thanks Examiner Hetul Patel for the telephone interviews on January 23, 2007 and January 26, 2007. As requested in the Interview Summary form PTOL-413 mailed by the Examiner on February 5, 2007, and in accordance with MPEP Section 713.04, the substance of the interview is included herein. No exhibits were shown. Claims 1-29 were discussed with respect to the 35 U.S.C. 101 rejection. Applicant's representative asked for a reason as to why the rejection of amended claim 1 was maintained, and as to why the Applicant's arguments were not persuasive. On January 23, 2007 no agreement was reached, however, the Examiner indicated he would give the Applicant further explanation after consulting with a member of the USPTO 101 panel.

On January 26, 2007, the Examiner called to explain that claim 1 would be allowable with an amendment that clarified to what medium data was being transferred. Agreement was reached that an amendment indicating that data was being transferred "to or from an input/output device" would be allowable. Regarding claims 12 and 22, no agreement was reached.

Since the Applicant has requested that the finality of the outstanding Office Action be withdrawn, and the Examiner's supervisor Matt Kim has indicated that the request will be granted, Applicant will wait for a subsequent Office Action in reply to Applicant's initial response filed December 21, 2007 before determining whether to file any further amendments (including the amendment to claim 1 agreed upon in the interview). Applicant requests that, should claims 12 and 22 remain rejected under 35 U.S.C. 101 in a subsequent Office Action, the

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Examiner provide a clear explanation as to why Applicant's arguments for claims 12 and 22 based on In re Beauregard and In re Warmerdam, respectively, were not persuasive.

Respectfully submitted,

Date: 2/9/07

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